

Coast Guard, DHS

§ 1.01-25

(c) The Commanding Officer of the National Maritime Center has been designated and delegated to give direction to Coast Guard activities relating to marine safety functions consisting of the licensing, credentialing, certificating, shipment and discharge of seamen; referring to the processing Regional Examination Center (REC) or cognizant OCMI violations of law, negligence, misconduct, unskillfulness, incompetence or misbehavior of persons applying for or holding merchant mariner's documents, licenses, certificates or credentials issued by the Coast Guard; suspension or withdrawal of course approvals; and recommending possible suspension or revocation under 46 U.S.C. Chapter 77 of licenses, credentials, certificates and merchant mariner's documents. Applicants for merchant mariner's documents, licenses, certificates or credentials may apply to the Coast Guard National Maritime Center or any of the Regional Examination Centers. Applicants may contact the National Maritime Center at 4200 Wilson Boulevard, Suite 630, Arlington, Virginia 22203-1804, or by telephone at 202-493-1002. A list of Regional Examination Center locations is available through the Coast Guard Web site at <http://www.uscg.mil>.

(d) For descriptions of Coast Guard districts and marine inspection zones, see 33 CFR part 3.

[CGD 88-033, 54 FR 50376, Dec. 6, 1989, as amended by CGD 97-057, 62 FR 51040, Sept. 30, 1997; USCG-2000-7790, 65 FR 58457, Sept. 29, 2000; USCG-2006-24520, 71 FR 35818, June 22, 2006; USCG-2006-25535, 71 FR 48482, Aug. 21, 2006; 71 FR 54768, Sept. 19, 2006]

§ 1.01-20 Suspension and revocation proceedings.

(a) The Commandant takes final agency action on each proceeding concerned with revocation.

(b) The Commandant has delegated authority to the Vice Commandant in 33 CFR 1.01-40 to take final agency action under subparts I, J, and K of part 5 of this chapter on each proceeding except on a petition or appeal in a case on which an order of revocation has been issued.

(c) The Commandant assigns to his staff a Chief Administrative Law Judge who is an Administrative Law Judge

appointed under 5 U.S.C. 3105 and whose assignment is to:

(1) Act as adviser and special assistant to the Commandant on matters concerning the administration of hearings conducted under 46 U.S.C. chapter 77;

(2) Conduct hearings under 46 U.S.C. chapter 77;

(3) Train new Administrative Law Judges assigned to conduct hearings under 46 U.S.C. chapter 77;

(4) Review the written decisions and orders of each Administrative Law Judge assigned to conduct a hearing under 46 U.S.C. chapter 77; and

(5) Act as adviser to the Chief Counsel in preparation of the final action of proceedings conducted under subparts I, J, and K of part 5 of this chapter.

(d) The Chief Counsel of the Coast Guard, under the general direction and supervision of the Commandant, U.S. Coast Guard:

(1) Acts as an adviser and as a special assistant to the Commandant in matters of law; and

(2) Prepares for the consideration of the Commandant or the Vice Commandant, as appropriate, proposed decisions on cases on appeal or review in suspension and revocation proceedings.

§ 1.01-25 General flow of functions.

(a) The Officer in Charge, Marine Inspection, has final authority with respect to the functions described in § 1.01-15(b) of this subpart, subject to the rights of appeal set forth in subpart 1.03 of this part.

(b)(1) The general course and method by which the functions (other than those dealing with suspension and revocation of licenses, certificates or documents described in paragraph (c) of this section) concerning marine safety activities are channeled, begins with the Officer in Charge, Marine Inspection, at the local Marine Safety Office. From this Officer the course is to the Chief, Marine Safety Division, on the staff of the District Commander, and then to the District Commander. From the District Commander, the course is to the Chief of one of the offices with Marine Safety and Environmental Protection at Headquarters.